

REMARKS/ARGUMENTS

A check in the amount of \$280.00 is enclosed in payment for the addition of six (6) total claims and 2 independent claims.

Claims 1 and 23 were objected to as informal for reciting the expression "characterized in". This expression has been deleted from both claims.

Claim 5 has been objected to under 37 CFR 1.75 as being a substantial duplicate of claim 23. Accordingly, claim 5 has been canceled.

Claim 4, along with claims 5, 25 and 26 which depend therefrom, have been rejected under 35 USC 112, second paragraph, as indefinite because claim 4 recites the expression "such as". This expression has been deleted from claim 4.

Claims 6-8, 13, 14, 17 and 18 have been indicated as being allowable if suitably rewritten in independent form. Accordingly, new claims 27-33 correspond, respectively, to claims 6-8, 13, 14, 17 and 18.

Claims 1-4, 11, 12, 15, 16 and 25 have been rejected under 35 USC 102(b) as being anticipated by Giannuzzi. Claims 9 and 10 have been rejected under 35 USC 103(a) as obvious over Giannuzzi in view of Osterland. Claims 19 and 22 have been rejected Under 35 USC 103(a) as being unpatentable over Giannuzzi. Claims 24 and 26 have been rejected under 35 USC 103(a) as obvious over Giannuzzi in view of Asami. Reconsideration and withdrawal of these rejections are respectfully requested in view of the claim modifications made herein and in light of the following remarks.

A salient feature of the fastening device recited in amended claim 1 is that the cap of the male part is formed by a spring blade which is shaped so as to allow an elastic deformation of at least the medium portion of the outer branch when the foot moves from its unlocked configuration

to its locked configuration. The medium part of the outer branch is resiliently depressed, as is shown particularly in Figures 3, 7 and 13. This arrangement maintains the panels in a stack and insures that the stack of panels can withstand vibrations.

It is respectfully submitted that Giannuzzi does not disclose such a fastening device.

Firstly, the Examiner is incorrect, with all due respect, in contending that Giannuzzi discloses a fastening device comprising a male part 23 and a female part 10 selectively inserted into bores passing through a stack of at least 2 panels 22, 21. In actuality, these components form a hook-like fixture and a wall on which the hook is mounted by means of the fastening device. This distinction is important since the problem the present invention aims to resolve, i.e. the resistance to vibrations, is not the problem sought to be resolved in Giannuzzi. This fact explains why the specific features of the present invention useful to address the problem of vibration are not disclosed in Giannuzzi.

The present invention resolves the problems caused by the vibration by having the head 11 of the male part resiliently deforms the cap of the female part, when the male part is pushed inside the female part, by resiliently depressing the outer branch of the cap, as can be seen in figures 3, 7 and 13.

This resilient deformation, or depression, of the cap is possible due to the fact that the head 11 is in direct contact with the cap. In contrast, Figure 6 of Giannuzzi shows that the head 24 of the male part does not bear on the cap 10 of the male part but, rather, on the outer face of the base of the hook like fixture 22 which is interposed between the head 24 and the cap. Since this base extends beyond the cap 10, it is impossible for the cap to be resiliently deformed by the head 24 of the male part in the same manner as the present invention, with the head 11 resiliently depressing the medium portion of the outer branch of the cap.

Such a depression of the cap is even contrary to the teaching of Giannuzzi since Giannuzzi discloses that the wall anchors forming the male part are installed simply by driving them into the wall with a hammer, as one would a nail. This is only possible with a head which is not resiliently deformable.

Thus, since Giannuzzi does not teach how to resolve the problem of withstanding vibration, and certainly not the structural features of the present invention, claim 1, as amended herein, is not anticipated by Giannuzzi under 35 USC 102. Moreover, the distinctions discussed above render claim 1 clearly patentable thereover under 35 USC 103.

Claims 2-4, 6-22, 25 and 26 depend, either directly or indirectly, on claim 1 and, thus, each is allowable therewith. Moreover, each of these claims includes features which serve to even further distinguish the present invention over Giannuzzi.

None of the applied secondary references serves to bridge the gap between claim 1 and Giannuzzi.

Claim 24 has been rejected under 35 USC 103(a) as being unpatentable over Giannuzzi in view of Asami (USP 5,560,675). Although Asami teaches protuberances in the form of lugs, the combination of Giannuzzi and Asami does not obviate claim 24. In the present invention, the barrel of the male part has a non-circular cross section which is recited in claim 24 as being defined by a minimum and maximum internal transverse dimensions. In contrast, in Giannuzzi and Asami the members that correspond to the male part barrel have a circular cross section. Thus, claim 24 is allowable thereover.

Based on all of the above, it is respectfully submitted that the present application is in condition for allowance. Prompt and favorable action to this effect is respectfully solicited.

Respectfully submitted,

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